Waiver of Service of Summons

TO:	Oshman & Mirisola, LLP	
	I acknowledge receipt of your request that I waive se	
		, which is case in the United
num	ber See Attachment A	
	es District Court for the <u>Southern District of New York</u> e complaints in these actions.	. I have also received a copy
	I agree to save the cost of service of a summons and his lawsuit by not requiring that I (or the entity on whos cial process in the manner provided by Rule 4.	7.7
	I (or the entity on whose behalf I am acting) will result or to the jurisdiction or venue of the court except formons or in the service of the summons.	
	July 25, 2007	//
Date	~ \ \ \ \ \	/
	• •	ame: John E. Sparling
		Fischer LLP
		Construction Company and Turner
	Construc	tion-International, LLC}

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant who, after being notified of an action and asked to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the compliant is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or even its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Effective A/o 12/1/93 in compliance with Federal Rules of Civil Procedure 4

SDNY Web 4/99

Attachment A

PLAINTIFF	INDEX NUMBER	COUNSEL
1 GAROFALO, JOSEPH	07-CV-5703	OSHMAN
2 SANCHEZ, RICHARD	07-CV-4005	OSHMAN
SANSONI, SUSAN as Administratrix of the Estate of DAVID		
3 SANSONI, Deceased, and SUSAN SANSONI, Individually	07-CV-6117	OSHMAN